



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Montgomery County Department of Park and Planning

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MEMORANDUM

TO: Montgomery County Planning Board

VIA: John A. Carter, Chief *JAC*
Community-Based Planning Division

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SUBJECT: Work Session Number 3: Damascus Master Plan Land Use in the Town Center and Transition Areas

RECOMMENDATIONS

This is the third Work Session on the Damascus Master Plan. The items to be covered at this work session include:

- Item No. 1: WSSC Presentation on Grinder Pumps, Pump Stations, and Sewer Systems
- Item No. 2: Town Center Land Use Recommendations
- Item No. 3: Transition Areas Land Use Recommendations
 - A. Northeast Transition Area
 - B. Southeast Transition Area
 - C. Southwest Transition Area
 - D. Northwest Transition Area

INTRODUCTION

The current schedule for Damascus Work Sessions includes:

- Planning Board Public Hearing: November 4, 2004
- Work Session No. 1: December 23, 2004
Housing, Water and Sewer, Schools
and Community Facilities, Historic
Preservation
- Work Session No. 2: January 13, 2005
Transportation and Connectivity,
Parks and Trails, Legacy Open Space,
Environment
- Work Session No. 3: February 17, 2005
Land Use in the Town Center and
Transition Areas
- Work Session No. 4: March 10, 2005
Rural Area Land Use/Hamlets
Wrap-up and Transmit to County Council

STAFF RECOMMENDATIONS AND DISCUSSION

ITEM NO. 1: WSSC PRESENTATION ON GRINDER PUMPS, PUMP STATIONS, AND SEWER SYSTEMS

During the first Work Session discussion on Housing, the Planning Board requested a presentation on the various options for providing public sewer service, their relative usefulness and associated problems. The relative merits and concerns with the use of grinder pumps and pump stations to access public sewer are central in Damascus because of its geography which limits access to the established gravity sewer system. Representatives from the WSSC will present an overview of these methods and WSSC policy on their use. See Attachment A – WSSC Information.

ITEM NO. 2: TOWN CENTER LAND USE RECOMMENDATIONS

Staff Recommendation:

Approve the overall vision and conceptual framework for the Town Center as proposed in the Public Hearing Draft including the:

- Mixed-use Concept
- Street Character
- Zoning Strategy
- Boundary

The staff supports the recommendations in the Public Hearing Draft for the Town Center to provide a framework that encourages the evolution of a mixed-use town form reflecting precedents found in traditional Maryland towns. The Town Center recommendations in the Public Hearing Draft Master Plan include:

- Enhance the identity of the Town Center as a place that identifies and unifies the larger Damascus community economically, culturally and socially.
- Enhance the character of Main Street as the most clearly recognizable icon for the Town Center by reforming spatial definition through building placement and strengthening the pedestrian experience.
- Provide guidelines for the future development and redevelopment of the Town Center that reinforces the vision for an attractive and functional mixed-use Town Center.
- Enhance mobility and connectivity within the Town Center by providing an attractive and functional interconnected system of streets and paths.
- Enhance and expand open space elements within the Town Center for the enjoyment of the community.
- Create a new mixed-use zone appropriate for town-scale development.

Discussion

Location in Master Plan: Land Use Chapter (Page 11)
Implementation (Page 93)

Existing Master Plan Recommendations:

The 1982 Master Plan and the 1985 and 1993 Master Plan Amendments did not delineate a Town Center area, but did refer to the Damascus Business Area. The 1985 Plan for the Damascus Business Area was comprised of approximately 71 acres of primarily commercially zoned land with some light industrial and residential zoning.

The 1985 Plan recommendations for the Damascus Business Area encouraged office development at the fringes of the retail area, proposed a new shopping center along Ridge Road north of Bethesda Church Road and eliminated 100 acres of employment and industrial land use along MD 108. The implementation strategy in the 1985 Plan recommended single-use zoning (i.e. general commercial, light industrial and office) in the business areas and low density and low density cluster for the residential areas near the business area.

Summary of Testimony at Public Hearing:

The testimony received regarding the Town Center was generally supportive of the mixed-use concept. Several property owners testified in support of being included in the Town Center (Schoeb, Dibiase and Burdette properties). Several property owners were concerned about the specifics of the zoning strategy proposed. Some of the

testimony reflected the desire of property owners with property located adjacent to or confronting the defined boundary wishing to be included within the Town Center. These properties will be discussed in the Transition Areas discussion.

Staff Analysis

The staff analysis described below addresses the testimony in the following categories:

- A. Vision and Town Center Concept
- B. Street Character
- C. Town Center Land Use Strategy
- D. Town Center Boundary

A. Vision and Town Center Concept

In April of 2003, a charrette was held to engage the community and solicit ideas on the future vision for the Town Center. A charrette is a collaborative process to solve problems and provides a forum to share ideas, generate creative solutions, contribute expertise and learn from others. Several iterations of a vision statement were presented and refined. The consensus vision statement for the Damascus community in general and the Town Center in particular is:

The community vision for the Damascus Town Center is a viable, walkable, human-scaled town easily identifiable as the heart of the surrounding community. The Town Center should reflect the compact urban forms of traditional Maryland rural towns and provide a vibrant quality of life for its residents. The Town Center should respect the legacy of the past and its agrarian context while maintaining a framework for the market needs of future generations anchoring the northern borders of Montgomery County.

This vision speaks of strengthening the town's sense of place and of its future transformation back into a traditional mixed-use town. This vision reflects the notion of compact development patterns and protection of the rural environment. It calls for reviving the town's former vitality and addresses the quality of life needs for the current and future residents of Damascus.

The staff believes that the conceptual framework (Plan, page 14) addresses this vision. A clearly defined Town Center creates an envelope to concentrate moderate densities that will decrease the pressure to develop in rural areas. The framework improves mobility within the Town Center, encourages mixed-use development (particularly more residential opportunities), and provides appropriate green spaces within the town core. The framework concentrates commercial densities within the core of Damascus and focused along Main Street. The staff envisions a broad range of mutually beneficial uses including retail, office, moderate density residential, recreational, civic, institutional and light industrial uses.

This Plan recommends changes that will result in a clearly identifiable Town Center that is more easily accessed by pedestrians and bicyclists, with a street network that allows more opportunities and connectivity for residents to access the retail and civic space areas. The Plan recommendations will preserve the viable businesses, civic buildings, beloved landmarks, institutional uses and green spaces, while encouraging future opportunities to enhance the “sense of place” in central Damascus.

B. Street Character

Main Street remains the most important street in Damascus, a familiar icon that should be easily recognizable as the heart and soul of the Town Center. Strong remnants of the past remain in the form of several street-oriented buildings (Damascus Electric, the DiBiase Building and the former Druid Theater) mostly located on the south side of the street. Main Street has lost some of its traditional identity largely due to redevelopment and infill taking physical forms based on conventional suburban design.

Main Street is a four-lane street with a paving section of approximately 50 feet within a right-of-way of 80 feet (see Plan, page 19). The spatial definition along Main Street that has been partially lost can be “repaired” by orienting the fronts of buildings along the street and enhancing the pedestrian realm. The envisioned town-scale proportions of 3-4 story (maximum) buildings creating a street wall will form the appropriate street definition.

The proposed Damascus Lane (a less intrusive version of the “Damascus Boulevard” recommended in the 1994 Damascus Master Plan Amendment) will enhance the most under-utilized land resource within the Town Center that is located behind the existing commercial buildings on the south side of Main Street (see Plan, page 23). This area is comprised of vacant land or parking lots and is mostly paved. Creating a new street connection to the existing street network will greatly enhance the viability of these land resources as well as providing access to the trailhead of the planned extension of the Magruder Branch Stream Valley Park/Trail, provide a more formal access to the existing cemetery, and add additional connectivity within the Town Center. The travel lanes of this street should be designed as narrow as possible due to environmental and grade constraints and it must be experienced as a “lane”. The Damascus Lane alignment would terminate on the east end with a view of the Damascus United Methodist Church, a town focal point.

C. Town Center Land Use Strategy

The existing commercial zoning for the Town Center area encompasses approximately 112 acres and includes C-2 (General Commercial), C-T (Commercial Transitional), O-M (Office Building- Moderate Intensity), PD-7 (Planned Development- Medium Low), and the I-1 (Light Industrial). The existing residential zones in and adjoining the commercial area encompass approximately 82 acres and include RE-2C (Residential, One Family), R-200 (Residential, One Family), R-60 Residential, One Family), RT-8.0 (Residential, Townhouse), and R-30 (Multiple-Family, Low Density). The recent development patterns resulting from the mostly Euclidian (single use) zoning that currently exists in Damascus reflects the years of development of automobile-oriented, single use

buildings that contribute nothing to the community “sense of place”. There are examples of buildings that have multiple uses oriented vertically in the same building such as the former Druid Theater, the IDK property (Mobile gas station), and the adjoining Miles Center.

The majority of the commercial retail density (+/- 780,000 sf) is located within the C-2 and PD-7 zones. The majority of the existing residential units (347 units) are townhomes or condominiums located in the PD-7 and R-30 zones.

Achieving the Plan vision of a viable, walkable, compact town center requires a type of zoning that emphasizes the scale, proportion, design, and architectural context of structures, rather than separation of uses. Allowing a diverse mix of uses including retail, office and civic uses will support residential development and mean fewer vehicle trips for daily errands. The synergistic qualities of the mixed-use concept for the Town Center will create a place where people can live, work, shop and recreate within a walkable area.

A mixed-use zone will allow appropriately scaled development that emphasizes how structures fit into the Town Center context rather than focusing on the uses within the structures. The zone will allow a very broad range of uses by right (including all existing businesses), but will require site plan review for most new structures and for major structural modifications. The zone will add more entitlements to property owners and meet changing market demands over time.

This zone will have two levels of emphasis, and slightly different intensities (see graphic, page 14 of the Draft Plan). Surrounding the core of the Town Center will be the Town Center Zone 1 (TCZ-1) +/- 162 acres, which will encourage residential uses in places where the viability of existing retail properties may have outlived their economic life. Non-residential uses are permitted, but the zone will more strongly encourage new housing. The addition of residential housing at moderate densities will encourage more activity and support community-oriented businesses in the Town Center.

The Town Center Zone 2 (TCZ-2) is located in the +/- 32 acre core of the Town Center oriented along Main Street. The TCZ-2 area should receive the bulk of the Town Center’s commercial density where it historically developed and concentrated within the core. The non-residential densities are slightly lower and the residential densities are slightly less than those proposed for the TCZ-1 Zone.

The proposed density and preliminary bulk regulations for the new zones are as follows:

	TCZ-1	TCZ-2
Density:		
Mixed Use	0.5 FAR	1.0 FAR
100% Residential	20 du/ac	15 du/ac
Height:		
Mixed Use	55' or 4 stories	55' or 4 stories
Residential	55' or 4 stories	45' or 3 stories

The staff analyzed the proposed densities in order to project the future commercial and residential yields for the entire Town Center area. A summary analysis of the proposed density of development for the Town Center encompassing TCZ-1 and 2 is as follows:

	Residential <i>Units (du)</i>	Residential <i>Density (du/ac)</i>	Non-Residential <i>GFA (sf)</i>	Non-Residential <i>FAR</i>
CURRENT:				
Theoretical Yield	2,361	12.2	4,646,781	0.55
Historical Yield	356	1.8	1,118,798	0.13
Existing	357	1.8	939,721	0.11
PROJECTED:				
Theoretical Yield	2,057	10.6	2,904,730	0.37
Historical Yield	1,339	6.9	2,121,993	0.27
Proposed	1,339	6.9	2,121,993	0.27

The density analysis compares the existing densities in terms of the theoretical maximum yields (per zoning category), the historical yield (per county-wide data) and the existing as-built yield (see Attachment B - Existing and Proposed Density Calculations). The existing built density for residential was nearly identical with historic county-wide yields per the given zone and significantly less than the theoretical maximum. The existing built non-residential yields were slightly less than the county-wide historical yields and like the residential, significantly less than the theoretical maximum permitted.

The density analysis for the future projections for the Town Center used slightly different assumptions. Properties were analyzed for their potential to develop in the future (vacant, under-utilized or property owner's intent) or remain unchanged (parkland, fire station, Weis Market, 347 housing units on Bethesda Church Road). Historical densities for the TCZ Zone do not exist. Therefore, historical data using a comparable CBD-1 Zone was used. The CBD-1 standard method yields 68% of the allowable FAR and 58% of the allowable residential density. This proportion was applied to the maximum proposed densities for the TCZ-1 and 2 zones. The assumed historical yields for this analysis became the basis for the projected yields. Staff projects that the Town Center will absorb approximately 992 additional residential units for a total of 1,339 units and approximately 1.6 million square feet of additional non-residential uses for a total of somewhat more than 2.1 million square feet. Attachment C is an illustrative drawing that indicates how and where this additional development might be placed in the framework of central Damascus.

D. Town Center Boundary

This Plan has delineated a +/-194 acre boundary for the Town Center based on the extent of the current commercial zoning, ownership patterns, perceived gateways into the Town Center, street boundaries and natural environmental buffers.

The proposed boundary generally approximates the Damascus Business Area defined in the 1985 Master Plan, and some adjoining properties. During the Town Center charrette, the participants were asked to define the limits of the Town Center. The proposed boundary is consistent with the community's perception of what physically demarcates the Town Center. The Town Center Boundary (Plan, page 16) has mistakenly omitted two properties (10025 and 10033 Locust Drive) that have consistently been included in the Town Center. Attachment D will replace page 16 in the Plan and show the corrected boundary.

Alternative Scenarios – Implications and Consequences

Following the Town Center charrette, Work Sessions were held with the community to further expand on the ideas generated. In addition to refining the vision statement, two alternative framework scenarios were discussed with the community. Land use alternatives, street placement, building placement, redevelopment opportunities and traffic were all discussed. The process produced the conceptual framework in the Plan.

The key in this Plan is to encourage more residential development in the Town Center, and to control the size, scale, and context of any additional growth. Additional density would not be appropriate in this small town setting, and less density might unintentionally inhibit appropriate development on selected properties.

In following the evolving concept of mixed-use zones for commercial centers, the staff believes that the Plan concept of two zones can become a single zone, with guidelines in the Plan to emphasize and commercial uses in the central core, and to emphasize residential potential in the outer perimeter of the Town Center. If the Planning Board supports this evolved concept, the staff will prepare a revised Town Center Land Use section reflecting this single zone concept with Master Plan guidance. The recently proposed mixed-use zone for the Olney Town Center could be appropriate to achieve the land use vision for the Damascus Town Center.

ITEM NO. 3: TRANSITION AREAS LAND USE

Staff Recommended Board Actions:

- **Approve the Transition Areas Land Use Recommendations**

The majority of existing residential development in Damascus is located within the Transition Areas, which has declining intensities of land uses and increasing amounts of open space surrounding the Town Center and the Magruder Branch Valley. The primary goals of this Plan's recommendations are to build a network of compact connected neighborhoods, improve connectivity to activity centers within the planning area, protect natural resources, and limit future impervious areas beyond designated growth areas. This Plan supports encouraging development in the Town Center and the surrounding Transition Areas.

The modified land use recommendations in this report reflect the recent modifications to the MPDU regulations, comments at the Public Hearing, the Planning Board requests at the first Work Session, and the potential for two new sewer pump stations that provide a rational alternative to the use of a proliferation of grinder pumps for individual properties.

The vision for Damascus is a connected community of moderate density, primarily small lot single-family neighborhoods that provide a transition between the more intense town center, and the very low density Agricultural Reserve. This vision differs from the 1982 Master Plan in that it creates a stronger contrast between the “town” area and the “rural” areas. Through extensive use of the small lot cluster potential of the Rural Neighborhood Cluster Zone, these proposed neighborhoods will adjoin and overlook permanent open space that borders the Rural Area. This is the vision and intent in the Public Hearing Draft Master Plan, and that is even more strongly reinforced through the alternate recommendations in this report. This report reflects, as directed by the Planning Board at the Housing Work Session, possible alternate land use scenarios in the southwest and northwest portions of the Plan area near the Town Center that provide somewhat more housing potential.

Discussion

Location in Master Plan: Land Use Chapter (page 25)
Implementation Chapter (page 93)

Existing Master Plan Recommendations

The *1982 Damascus Master Plan* discusses land use opportunities for the vicinity of Magruder Branch Valley and Transition Areas. It suggests that the development potential of this area is not expected to attract a significant share of future County residential development due to its geographic location away from major population centers and transportation corridors. The 1982 Plan further states that the rural character and environmental constraints of Damascus would be inconsistent with a significant amount of additional growth.

The recommended residential density yields for the area were guided by the premise that Damascus should protect its environmental features (such as the Little Bennett Creek and Patuxent River tributaries) and maintain contiguous farmland through cluster residential development. The Plan also highlighted that Damascus’ “traditional linear development pattern” should be continued through “infill” among existing residences near the town.

This Plan’s land use recommendations support the basic premises of the 1982 Master Plan by encouraging and guiding development within the Town Center and limiting further growth on the perimeter. They reflect the decision to significantly reduce potential growth outside the core of Damascus, and support growth and change in central Damascus. To achieve those goals, the 1982 Master Plan rezoned significant portions of the transition areas from R-200 to RE-2C.

The *1993 Amendment to the Damascus Master Plan* did not address comprehensive land use issues, although it did discuss five individual properties. Of these, the King

Farm (currently called the Kingstead properties) was the most significant. That Plan considered but ultimately recommended no change to create a TDR receiving area for these properties. No other properties significantly affected by the current Plan proposals were addressed.

Summary of the Testimony at the Public Hearing

Most of the public hearing testimony related to the Transition Area land use areas revolved around the proposed densities for the recommended developable properties. (See Attachment G – Public Hearing Summary Comments.) Requests on specific properties are discussed in the staff analysis section. Although a part of most of those requests, the other major themes in public hearing testimony related to the use of cluster development, additional housing options, and the use of grinder pumps to achieve greater development potential, discussed below.

Cluster Development

Much of the public hearing testimony reflected the community's support for the use of small-lot, cluster development as a means to protect environmentally sensitive areas and to preserve the scenic vistas that are so intrinsic to defining the character of Damascus. The staff supports using cluster development in this Plan because it encourages flexible lot design, creates community open space, provides recreation opportunities and preserves important natural resources.

Additional Housing Alternatives

A number of comments reflected a concern from property owners or their representatives that additional housing options and alternative locations should be revisited. One speaker questioned the Plan recommendation to rezone the RE-2C properties in the Patuxent River Watershed to Rural Cluster, and one speaker questioned the Plan recommendation to retain the RE-2C and Rural Cluster Zone along the Great Seneca watershed adjoining Hawkins Creamery Road.

Overall, the staff believes that the housing recommendations of this Plan reflect the goal of guiding higher density development to the Town Center and the immediately surrounding Transition Areas. The staff believes that the rationale in the Plan for modification of zoning in the Patuxent River Watershed is justified by the need to protect these stream headwaters and the difficulty in getting septic approvals in this area. And the staff believes that the rationale for retaining existing zoning along Hawkins Creamery Road is justified by environmental constraints, and the limited additional developable land remaining.

Concerns expressed regarding the proposed density on the Burdette property (adjoining the Town Center), Casey/Lewis property, Souder property, Smart/Miner property, Rice property, and Stanley/Leishear property (adjoining the Town Center) are discussed in the Staff Analysis section below, which outlines several potential alternative development options feasible and appropriate for this small community within the overall vision outlined in the Public Hearing Draft Master Plan.

Sewer Access vs. Grinder Pumps

This Plan recommends that existing sewer access in Damascus should be maintained by clustering development in areas that are already relatively accessible to existing sewer lines. Some residents reflected the concern that without use of grinder pumps, otherwise allowed zoning density may not be feasible. Specific properties that requested additional densities through the use of grinder pumps included: Stanley/Leishear, Burdette, Warfield, Kingstead Farm, Leishear (next to the Kingstead Farm), Rice, and Smart/Miner.

This Plan's recommendations, guided by the philosophies of WSSC, avoid a proliferation of grinder pumps, support pump stations where feasible, and support a preference for gravity based sewer service where sewer is available, and the use of small pressure systems where necessary to achieve land use goals. The modified recommendations reflect the opportunities inherent in the new sewer pump stations.

Staff Analysis and Recommendations

In response to concerns expressed at the Public Hearing, as well as those of the Planning Board, the staff analyzed alternative land use scenarios in the Southwest and Northwest portions of the Master Plan where somewhat higher densities and sewer access are feasible. The staff evaluated two watershed areas in close proximity to the Town Center and is proposing alternate land use patterns for these areas.

The revised recommendations are based on the primary goals of the Master Plan, town planning principles, and the ability to extend sewer service to these areas through two new limited access pump stations. Pump stations are now being contemplated just southwest of the Town Center, and just northwest of the Town Center. Alternative land use patterns are proposed that increase density on selected properties, and propose the use of small lot cluster on others where significant additional density is not appropriate for environmental reasons.

The proposed alternative land use patterns would be compatible with existing development and with the vision for the Damascus community expressed through the Master Plan development process. And the new pump stations will also be able to help address public health concerns in parts of Damascus where there are significant numbers of homes on small older lots or parcels using septic systems. No significant changes in land use patterns or density were considered for undeveloped areas in the northeast and southeast areas of the Master Plan.

Visual guides to these recommendations are in Attachment E – Land Use Modifications Location Map, and Attachment F – Summary Table of Revised Modifications.

A. NORTHEAST TRANSITION AREA

The Public Hearing Draft Master Plan recommends changes for much of this transition area, reducing density in some areas, increasing development potential in some areas, and adjusting existing zoning to match existing property sizes. This area is covered under the *Functional Master Plan for the Patuxent River Watershed* and its goals for protecting environmental and water supply resources, including a 10 percent imperviousness goal. The land use vision for Damascus reflects the restrictions of that Plan.

Development potential is decreased in the outer Transition Area, partially to balance development on property directly adjoining the Town Center. Anticipated development will include some small lot single-family cluster on sewer, and some large lot development on well and septic.

1. Burdette Property

Public Hearing Draft Plan Recommendation: RNC .4 – 32 lots

Staff Recommendation: Rural Neighborhood Cluster Zone
RNC .4 – 32 lots
Public Water and Sewer

Discussion

This almost 82-acre property is located north of the Town Center and east of Ridge road. The planned route of Woodfield Road Extended will bisect the property. The Public Hearing Draft Plan recommends a two-acre density cluster development (approximately 32 lots) to guide the existing density of the property away from the environmentally sensitive areas. This density reflects the environmental constraints in the area. Limited sewer access using gravity flow to the existing pump station along Woodfield Road Extended is available.

At the Public Hearing, the representative for the Burdette family requested a moderate increase density to allow up to 40 lots. This density could meet the 10 percent impervious goal of the Patuxent Master Plan. With MPDUs, 40 lots will be permitted.

The existing pump station is on the property of the Damascus Shopping Centre, but may be relocated. WSSC is evaluating that relocation, and may wait until the Master Plan is adopted to determine the best location when it is moved.

2. Miller Property and Adjacent Town Spring Neighborhood

Public Hearing Draft Plan Recommendation – RE-1 Zone, public water
Staff Recommendation – RE-1 Zone, public water

Discussion

The eastern portion of the Miller property is adjacent to the Town Center and located between Howard Chapel Drive and the Town Spring Tributary stream valley. The properties in the neighborhood south of the Miller property and north of MD 108 were included in the analysis of this area in order to comprehensively

address land use issues. The primary environmental resource affecting these properties is the headwaters of the Town Spring stream tributary, subject to strict guidelines for protection as a tributary to the Patuxent River.

The Public Hearing Draft Plan recommends a change to the RE-1 Zone and one-acre density, for the Miller property (approximately 21 acres) and the adjacent properties (approximately 39 properties on 18 acres – an average half acre density), with access to public water. This recommendation more closely reflects the existing density of the lots in the neighborhood south of the Miller property, and is appropriate for the Miller property at this location near the Town Center. The affected 21 acres of the Miller property would yield 10-15 lots depending on percolation rates, compared to the 10 lots authorized in the current RE-2C Zone.

At the Public Hearing, the Miller family requested that the entire property be included in the Town Center or a similar land use recommendation with greater intensity of use. The Plan proposes to change the approximately 21-acre portion east of the Town Spring Tributary stream valley from the RE-2C/PD-5 recommendation of the 1982 Master Plan to the RE-1 Zone. (The residual part of this property is in the Town Center.)

Despite its location so near to the Town Center, the Miller property faces significant environmental constraints due to the presence of headwaters of the stream tributary to the Patuxent River on the property. A rezoning request for the Master Plan recommended PD-5 Zone was denied by the County Council in 2003 due largely to environmental concerns. Given the environmental concern and the relatively recent legislative history of the property, the Plan did not recommend significant additional density or sewer.

3. Patuxent River Watershed Area

Public Hearing Draft Plan Recommendation – Rural Cluster Zone

Staff Recommendation – Rural Cluster Zone

Discussion

Approximately 560 acres of land in the northeast section of the planning area is recommended for rezoning to Rural Cluster from RE-2C. The development potential on approximately 454 acres (18 properties) would be impacted by this zoning proposal, but due to poor soil conditions for septic systems, the impact on realistic development potential is limited, reducing anticipated development yield from 110 to 86 lots. One comment at the Public Hearing questioned the proposal since there was a need for some additional housing in the community. The staff reiterates support for this proposal for two main reasons:

- The environmental protection of the Patuxent Watershed.
- Locations more immediately proximate to the Town Center, offering higher densities on public sewer are more reflective of the community vision than large lot residential development on well and septic service.

B. SOUTHEAST TRANSITION AREA

The Plan recommends that most of the southeastern quadrant retain the existing land use and zoning designation, primarily in the RE-2C Zone. Only the Warfield property is recommended for a zoning change.

This portion of Damascus will offer less potential for future growth because of environmental limitations and because it has less convenient access to community facilities. The Plan proposes one small lot neighborhood cluster development option, but retains large lot zoning elsewhere. The existing zoning is appropriate where sewer access is not available as a means to protect the important and environmentally fragile headwaters of Big Seneca Creek.

Warfield Property

Public Hearing Draft Plan Recommendation: RNC .4 – 31 lots
RNC/TDR .75 – 58 lots

Staff Recommendation: Rural Neighborhood Cluster Zone
RNC .4 – 31 Lots
RNC/TDR .75 – 58 Lots

Discussion

The 78-acre Warfield property is located east of Woodfield Road just south of the Town Center. It contains historic structures and some of the most scenic vistas along the Woodfield Road approach to Damascus. To preserve these resources, the Plan recommends cluster development, using primarily gravity flow sewer. Because the site is close to the Town Center, some additional density is suitable, and it is recommended as a TDR receiving site. The base density (approximating the lot yield from the existing RE-2C Zone) would allow 31 lots, with a TDR density of 58 lots.

At the Public Hearing, the property owner stated a preference for higher intensity zoning, up to the R-200 Zone that was on the property prior to the 1982 Master Plan, that the property not be a receiving site for TDRs (due to cost of TDRs), and that large lot development should be allowed in the open space areas.

The density requested by Mr. Warfield would probably require the installation of a new sewer pumping station, and would have the potential to significantly change the character of this transition area and its prime scenic vistas. There would also be environmental concerns for the Great Seneca stream valley. Finally, the County has an ethical obligation to establish viable and appropriate TDR receiving sites. This location is one that is uniquely appropriate to receive some additional density through the use of TDRs.

C. SOUTHWEST TRANSITION AREA

The Plan recommends that most of the southwest quadrant retain the existing land use and zoning designation, comprising a mix of residential zoning. Only the Smart-Miner property, and Kingstead-Leishear property are recommended for land use and zoning changes.

In this Transition Area there are two primary areas that are likely to see considerable change in the future. One is in immediate proximity to the Town Center, and one forms the boundary with the Rural Area. The intent of this Plan is to strengthen the potential for development near the Town Center, and limit extensive development potential on the rural edge. This report contains significant modifications to the land use recommendations to the area near the Town Center. The potential for a new sewer pump station allowed a range of alternate land uses that still fit the community vision of a town of small lot single family neighborhoods, and also allow the potential to resolve looming public health issues in the area.

The neighborhoods proposed in these recommendations will group authorized density in close proximity to the road, allowing a tighter, more visible “edge” to the town. Beyond that edge, the open vistas of the Agricultural Reserve will be preserved and enhanced by the contrast between them and the developed areas. This land use pattern is reminiscent of traditional land use patterns in Europe, that contrast fairly dense town centers to open farmland immediately beyond the town boundary. Italy’s “hilltowns” are an appropriate model for Damascus, with its “hilltop” location that still overlooks fields and pastures.

As proposed during the Housing Work Session, the staff has further researched the potential for additional housing in the portion of the Planning Area immediately to the southwest of the Town Center. This evaluation initially included the Smart-Miner, Leishear RDT, and Rice properties. As the implications of a possible new sewer pump station became clear, the evaluation expanded to several other properties on both sides of Bethesda Church Road, and along the west side of Ridge Road between Bethesda Church Road and the Damascus Recreation Center property. The proposals below now include properties noted at the Public Hearing including the Casey/Lewis and King/Souder properties.

The staff looked holistically at what potential modifications to the land use recommendations in this quadrant would be appropriate with the introduction of full sewer service through a new pump station that would be located so that topography will allow it to be a limited service area, protecting the nearby Agricultural Reserve from development pressure.

Generally, the proposal would allow new neighborhoods on properties immediately adjoining the Town Center at similar densities to existing neighborhoods in the community – from 1 to 4 dwelling units per acre. And as with other areas of the Plan, cluster development is recommended as the means to preserve natural resources and create small lot residential neighborhoods on properties of low to moderate overall density.

Sewer service would be limited to a small, delineated area, nestled between two ridges – Ridge Road to the east, and a ridge running through the larger property included to the west. Attachment E illustrates the proposed land use and zoning modifications in this area. Specific recommendations include:

1. Lewis/Casey

Public Hearing Draft Plan Recommendation: RE-2C – 8 lots

Staff Recommendation: Rural Neighborhood Cluster Zone
RNC .75 - 12 lots

Discussion

This property is located on the north side of Bethesda Church Road, just past the Town Center. It has a small developable area near the road, and falls off steeply into a stream valley. The Public Hearing Draft Master Plan did not recommend any modification to the existing land use on this almost 17-acre property due to extensive steep topography and stream valley.

At the Public Hearing, Mr. Eugene Casey represented the property owner (among others), and stated a desire to build affordable housing on this and adjoining properties on the other side of the Bennett Creek tributary that runs through this property. Mr. Casey stated a desire to build 90 or more multifamily or townhome dwelling units despite the steep slopes and other environmental constraints in this area. He pledged to make 50 to 100 percent of this development affordable at MPDU levels, and still keep 80 percent of the land as open space. As support for this proposal, he noted that the property was zoned R-200 until the 1982 Master Plan that changed it to RE-2C.

The staff met with Mr. Casey and his land planner several times, and Mr. Casey made a presentation of his proposal to the Land Use Task Force during the Master Plan process. The members of the Land Use Task Force did not support Mr. Casey's proposal, and the staff did not support Mr. Casey's proposal because it did not meet basic environmental criteria for evaluation. His proposal would also have added considerable traffic onto Lewis Drive that would contribute to the congestion on Ridge Road. And his proposal presumed adding considerable density into an area already developed with single-family homes.

Because this property is located in close proximity to the Town Center, some additional density is justifiable with sewer available. The revised proposal for this property would change it from the RE-2C to the RNC Zone, with 82 percent of the property (13.9 acres) preserved in open space. Near Bethesda Church Road, 2.89 acres are appropriate for development in the RNC Zone at .75 dwellings per acre. The steep slopes on the property preclude most of it from development potential, and in fact are proposed for some form of Legacy Open Space protection in the Plan. In addition to the property's environmental constraints, the possible developable area is somewhat reduced by the need to dedicate road right-of-way.

2. King/Souder and Four Adjoining Properties

Public Hearing Draft Plan Recommendation: RE-2C

Staff Recommendation: R-90 Cluster Zone

16 lots

Discussion

These properties are located immediately adjoining the Town Center. They were changed from R-200 to RE-2C in the 1982 Master Plan. The current Plan did not recommend any change to these properties. At the Public Hearing, the representatives for the King/Souder property requested that property be incorporated into the Town Center. Since that property surrounds four smaller properties, it is appropriate to consider them collectively, as this is an area that may be appropriate for redevelopment in the life of the Master Plan.

The revised proposal does not recommend the Town Center for these properties. The adjoining elementary school is an appropriate border for the more intensively developed area for the community. But with sewer available, some additional density is appropriate at this location, even though the total property size is very small. The staff proposes a change to the R-90 Zone with a cluster recommendation, that would allow up to 19 lots on these collective properties.

Owner	Number	Acres
King/Souder	885	1.87
Young	935	.47
Kelly	936	.46
Rimey	937	.46
Stratton	938	.46
Total		3.72

3. Smart-Miner Properties

Public Hearing Draft Plan Recommendation: RE-2C

Staff Recommendation: Rural Neighborhood Cluster Zone

RNC 1.0 – 15 lots

Discussion

The 15.55-acre Smart/Miner property, and the adjoining .6-acre Miner property front on Bethesda Church Road near the intersection with Ridge Road. Although these properties are adjacent to the Town Center, the Public Hearing Draft Master Plan does not recommend additional density because of limited sewer access and the need to protect important environmental features. This property slopes away from the road significantly into a small stream valley that is a headwater tributary to Little Bennett Creek. The Plan recommends use of the Rural Neighborhood Cluster Zone with a density that reflects the existing RE-2C Zone, allowing approximately 15 lots.

At the Public Hearing, the representatives for the property owner requested a density of approximately two dwelling units per acre, achieved through the use of grinder pumps. This would allow up to 31 dwellings on the property. Building a portion of a trail connection to the Recreation Center was also proposed.

WSSC policy discourages the use of grinder pumps, but with public sewer available through a new pump station on the Little Bennett Creek tributary, density closer to one dwelling per acre is appropriate and achievable at this location. The revised proposal incorporates a small adjoining property (less than one acre) owned by another member of the Miner family. Together, the 16.1 acres would support 16 dwelling units through the RNC Zone on 5.7 acres; with 65% open space preserved on approximately 10 acres. Additional density on this property would begin to compromise the stream valley and desirable impervious levels in the watershed.

4. Rice and Conway Properties

Public Hearing Draft Plan Recommendation: RE-2C

Staff Recommendation: Rural Neighborhood Cluster Zone
RNC 1.0 – 35 lots

Discussion

The Rice family owns three properties totaling a little more than 20 acres between Ridge Road and the Little Bennett tributary stream valley, just south of the Smart/Miner property. Their properties surround the 14.7-acre Conway property. The Public Hearing Draft Master Plan does not recommend a land use change for these properties.

At the Public Hearing, the representative for the Rice family requested additional zoning density citing the location near the Town Center, schools, and the Recreation Center. Density of two dwellings per acre was requested, reflecting the R-200 Zoning that was in this area until the 1982 Master Plan. Sewer service through the use of grinder pumps was proposed.

The availability of sewer in this area justifies a revised land use proposal for these properties. The properties are subject to a high level of environmental restrictions that make cluster development the preferred option, but make development at densities above one dwelling per acre problematic. If development should occur, it is logical for it to include the Conway property, which divides the three Rice properties.

Owner	Number	Acres
Rice		10.0
Rice		3.4
Rice		7.4
Conway		14.7
Total		35.5

The staff proposes the RNC Zone for the Rice and Conway properties, with 65% open space preserved (primarily along the stream valley and wetlands, and adjoining the Recreation Center) on 22.8 acres. The proposal allows up to 35 homes on a 12.2-acre area of the property.

5. Existing Developed Ridge Road Properties

Public Hearing Draft Plan Recommendation: RE-2C Zone

Staff Recommendation: R-200 Zone

Discussion

There are 31 existing small parcels fronting on Ridge Road in the RE-2C Zone between Bethesda Church Road and the Oak Drive intersection totaling approximately 26 acres. All but three are developed with homes, and some are beginning to experience septic failures. This area was zoned R-200 until the 1982 Plan. The Public Hearing Draft Plan does not recommend any change to these properties.

With sewer available, these properties would be easily served by gravity flow, and a modification in their land use recommendation is appropriate to consider. The revised proposal is a change from the RE-2C to the R-200 Zone, reflecting the underlying existing densities. The average property size is approximately 36,000 square feet, or a bit more than 3/4 of an acre. Little or no development is anticipated on these lots, which reflect the desired "linear neighborhood development pattern" of Damascus.

6. Kings Valley Ltd. Property

Public Hearing Draft Plan Recommendation: RDT Zone

Staff Recommendation: RDT and RNC/TDR

66 acres remain RDT

50 acres change to RNC/TDR

RNC .04 (1 per 25 Acres) - 2 lots

RNC/TDR 1.0 - 50 lots, with 48 TDRs

Discussion

The Kings Valley Ltd. property (official state title "Trouble Enough Indeed") is a 114.8-acre parcel in the Rural Density Transfer Zone located just west of the Town Center on the south side of Bethesda Church Road. The Plan did not recommend any modification to this property. But during the first Work Session the staff noted that this property was in an appropriate location for a limited access sewer pump station that would allow the Planning Board to consider a certain amount of additional density development in this part of Damascus that is very conveniently located to schools, shopping, and recreational uses.

With the Planning Board's approval to consider that type of modification, the staff is proposing a change from the RDT Zone to the RNC Zone with TDR receiving capacity (as is being proposed for the Kingstead and Warfield properties) for 50 acres of this property. The property would be divided along a ridgeline that would confine the service area of the sewer pump station. This pump station would serve all the properties discussed in the southwest quadrant for land use modification.

Evaluation of the appropriate regulatory mechanism is still under review but the staff proposes an RNC/TDR Zone that will allow the base density to be adjusted in the Master Plan to a density less than one dwelling per five acres. With this change, the 50 acres proposed for rezoning could have a base density equaling the RDT Zone density of one dwelling per 25 acres, and a TDR development density of 1.0, allowing up to 50 dwellings on the property - if 48 TDRs are used.

As envisioned, 73 percent (36 acres) of the 50 acres would be preserved in open space, and 13 acres would be designated as the development area. The entire development area would become a neighborhood of homes on relatively small lots located along Bethesda Church Road a short distance from the Town Center.

Unless this modification is used, the 50 acres proposed for the RNC/TDR Zone would create a windfall profit for the property owner, dilute the Agricultural Reserve and RDT Zone, and set a dangerous precedent that would undermine the Agricultural Reserve. If the base density of one dwelling per 25 acres is established, the proposal will sacrifice 50 acres of the RDT Zone but the density "windfall" is only gained through the use of TDRs, and the community gains additional housing in close proximity to central Damascus, and a sewer pump station that would service both new and existing homes that are facing default of aging septic systems. Given all these issues, the staff recommends the RNC Zone for this property, at stated densities only.

7. Clifford Property

Public Hearing Draft Plan Recommendation: RDT Zone

Staff Recommendation: RE-1 Zone - 1 lot

Discussion

This small property is located immediately east of the Kings Valley Ltd. property proposed for a change to the RNC Zone, and the Smart/Miner property group proposed for a change to the RNC Zone with a one-acre density. It contains a home, and is not appropriate for redevelopment in the RNC Zone, but would no longer be appropriate to remain in the RDT Zone. With its one TDR and one dwelling, it is not susceptible to development pressure. Rezoning to the RE-1 Zone, with a density matching the Smart/Miner property to the east is suggested.

8. Kingstead-Leishear Properties

Public Hearing Draft Plan Recommendation: RNC/TDR Zone

RNC .21 – 26 lots

RNC/TDR .58 – 71 lots

Staff Recommendation – Rural Neighborhood Cluster /TDR Zone

RNC .21 – 26 lots

RNC/TDR .56 – 71 lots

Discussion

These properties are located on the east side of Kings Valley Road, north of Kingstead Road in the southwest portion of the Rural Transition Area of the Plan. The King properties adjoin another King Farm property, 174 acres in the RDT Zone. The Plan recommends that an approximately 126-acre portion, comprising the King Farm properties in the RE-2C and Rural Cluster Zone, and the adjoining Leishear property in the Rural Cluster Zone be changed to the RNC Zone, with a TDR option allowing up to 71 lots (with the Leishear property included). The existing zoning would allow a total of 26 lots. The adjoining Leishear property is recommended for RNC only if it develops jointly with the Kingstead properties.

The Public Hearing Draft Master Plan recommends clustered development using the RNC Zone to preserve open space, environmental features, and a historic site on these properties. As discussed in the Plan, the recommendation reflects limited additional density, since these properties form the edge of the Agricultural Reserve. They are in a Rural Transition Area, not a Neighborhood Transition Area in close proximity to the Town Center. If the Rural Transition character is to be preserved, significant additional density cannot be created here.

Because of this concern, the Plan recommends that TDRs be used to achieve any density above the inherent density of the existing zones. Sewer access for the Kingstead properties is available, but is recommended to be limited to gravity flow access only.

Property and Zone	Acres	Lot Yield Existing Zoning	Lot Yield Proposed Zone	Lot Yield Proposed TDR Zone
Kingstead RE-2C	9.77	4	26	71
Kingstead RC	103.93	20		
Leishear RC	13.23	2		
TOTAL	126.93	26		

At the Public Hearing, the representatives of the King family requested that the density be increased to allow from 140 (1.24 per acre) to 350 (3.1 per acre) dwellings. They believe the area is appropriate for this level of moderate density. They would accept the RNC Zone (with 140 dwelling unit potential), but would prefer a Planned Retirement Community Zone (with up to 350 dwelling unit potential), built with elevator condominiums and single level villas. They also requested the use of grinder pumps to achieve the requested density.

The staff considered alternative scenarios for this property, but no alteration of the Plan is recommended, as additional density at this location would significantly change the character of the area beyond the intent of the community. The rural character of the edge would be fractured. And as previously noted, other properties recommended for more intensive land use in the Plan are much closer to the Town Center, not forming the edge of the transition to the Agricultural Reserve, and primarily changing from a two-acre density zone, not primarily a five-acre zone. For all the above stated reasons, the staff does not believe that additional density is warranted at this location on the edge of the Agricultural Reserve.

Leishear Property – This 13-acre parcel is adjoins the Kingstead property to the north on Kings Valley Road. It is recommended for the RNC Zone, with sewer only if it develops in conjunction with the Kingstead property. At the Public Hearing, a representative of this Leishear property requested that the property be given a density increase and RNC Zone on this property alone, not just if it develops with the Kingstead property. The recommendation is for the RNC Zone, but due to distance from sewer access, this property is not appropriate for a sewer (that will allow higher density) unless it is part of a joint development.

D. NORTHWEST TRANSITION AREA

The Public Hearing Draft Plan recommends no land use or zoning changes in the northwest quadrant of the Transition Area. The staff noted at the first Work Session that a discussion of a potential pump station was underway between one of the properties in this area and WSSC that might assist an existing problem with failing septic systems on some of the smaller older lots in the area. Those discussions have been successful, and as with the southwest quadrant, the staff has looked holistically at what potential modifications to the land use recommendations in this quadrant would be appropriate with the introduction of full sewer service through a new limited access pump station.

Generally, not as much change is recommended in this area as most properties are already developed. One property group is recommended for the RNC Zone. The residual proposals adjust zoning on existing developed properties to reflect existing property sizes, placing them in a zone appropriate for sewer service. And to an even greater extent here, the pump station would help to alleviate increasing health problems stemming from aging septic systems on small lots in the area.

The land use vision for this portion of Damascus is primarily to support existing neighborhoods, and add limited development potential that will both replicate existing neighborhood land use patterns, as well as protect adjoining environmental resources. As with other portions of the Plan area, the edge is reinforced and more contrast between the town and rural areas is enhanced. The potential for large lot residential uses in close proximity to the Town Center is reduced so that the identity of Damascus as a place is reinforced.

1. Stanley/Leishear, Day and Browning Properties

Public Hearing Draft Plan Recommendation: RE-2C Zone

Staff Recommendation: Rural Neighborhood Cluster Zone
RNC 1.0 - 27 lots

Discussion

During the Master Plan process, the 22-acre Stanley/Leishear property, located within walking distance from the Town Center, was evaluated for higher density land uses and possible sewer access. At that time, the staff thought there was no likelihood of new sewer access and the property was recommended for access to public water, with no additional change in land use.

At the Public Hearing, the representative for the property requested additional density for up to 22 lots, with sewer achieved through the use of grinder pumps. After the Public Hearing, the property owners notified the staff that they were discussing a possible limited access sewer pump station on the property that could serve this property and nearby properties with failing septic systems. This potential was mentioned at the first Work Session.

Owner	Number	Acres
Leishear	222	22.66
Day	044	3.65
Browning	311	.94
Total		27.25

The staff re-evaluated this area after learning that a sewer pump station was a viable option. This would be especially important because of the number of existing homes on small lots that are beginning to have septic treatment problems. (Plan, page 106). The staff evaluated densities feasible for a development combining the 22.65-acre Stanley/Leishear property, the adjoining 3.65-acre Day property to the north and .94 acre Browning property to the south. Site access and community character issues led to a recommendation for a small-lot cluster development using the RNC Zone. As with other properties in this Master Plan, this zone allows the potential for preserving environmentally sensitive areas and creating small neighborhoods that reflect the existing character of the community. The sewer pump station can be designed to serve failing septic systems on nearby Tune Avenue and Grace Court.

After discussions with WSSC regarding the need for sewer treatment in the area, the staff supports the use of the RNC Zone with a 1.0 density, preserving over 17 acres in open space (65%), and creating 27 lots on nine acres. The staff also recommends that development on this site not take access near the Town Center due to traffic congestion concerns. And any development should be designed to retain the potential for extending an internal street up to Tune Avenue in order to build internal connectivity.

2. Existing Neighborhoods North of Town Center on Ridge Road

Public Hearing Draft Plan Recommendation: RE-2C Zone

Staff Recommendation: R-200 and RE-1 Zone

Public Water and Sewer

Discussion

If the sewer pump station proposed is built in this area, it will afford the opportunity to address public health concerns in the older neighborhoods north of the Town Center. With the probable availability of sewer service, the following land use pattern for the existing properties located north of the Town Center is recommended.

The R-200 Zone is recommended for 57 properties, on a total of 36.23-acres, that average slightly over a half-acre in size immediately adjoining either the Town Center or properties in the R-200 Zone. These neighborhoods are

comprised of homes on small existing lots or parcels, dating from the prior zoning designation of R-200. Although most of these lots are in the Patuxent Watershed, like the properties adjoining the Miller property, there is little development potential as the proposed zoning reflects the existing density of the properties. As noted in the Plan, a growing number of these properties are facing failing septic systems. This is appropriate zoning for lots with public sewer. Sewer would be extended as needed for public health reasons.

The RE-1 Zone is proposed for 20 properties, on a total of 27.59 acres that average 1.3 acres in size immediately north of these properties. Again, these primarily represent homes and lot sizes dating from the prior R-200 Zone. The proposed zoning reflects the existing lot sizes and will not spur additional development. This is appropriate zoning for a residential area with sewer service. Sewer would be extended as needed for public health reasons.

CONCLUSION

This staff report provides the basis for certain recommendations within the Damascus Master Plan. It discusses the testimony received during the Public Hearing regarding the Plan recommendations for Land Use in the Town Center and the Transition Areas. The staff recommendations to the Planning Board reflect the desire to approve the recommendations in the Draft Plan or the alternative recommendations noted in this report

The next Work Session (scheduled for March 10) will discuss the Land Use recommendations for the Rural Areas, and ask for the Planning Board's final recommendations.

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- Attachment A: WSSC Information
- Attachment B: Existing and Proposed Density Calculations
- Attachment C: Town Center Development Illustrative
- Attachment D: Town Center Boundary with Correction
- Attachment E: Land Use Modifications Location Map
- Attachment F: Summary Table of Revised Modification
- Attachment G: Public Hearing Summary Comments